

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
OCTOBER 28, 2014**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Revised Annual Meeting Notice of December 31, 2013 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor	Ronald Dobies
Council President	Sean Kaplan
	Kevin Dotey
	Stephen Greco
	Patricia Jenkins
	Bob Schueler - Absent
	Michele Tackach - Absent
Attorney:	Aravind Aithal

Mayor Dobies stated that under his reports they will be discussing the CFO and also Executive Session will be held to discuss an investigation into violation of the law.

PROCLAMATIONS-NONE

APPOINTMENTS-NONE

PRESENTATIONS - NONE

PUBLIC HEARING

The Borough Clerk read Ordinance No. 1864-14 by title saying it had been posted on the bulletin board and made available for any person who wanted a copy.

ORDINANCE NO. 1864-14

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, STATE
OF NEW JERSEY AMENDING THE CODES OF THE BOROUGH OF MIDDLESEX CHAPTER
420-54, GB, GENERAL BUSINESS DISTRICT**

WHEREAS, the Municipal Land Use Law of the State of New Jersey, N.J.S.A. 40:55D-1, et seq., grants to municipalities the power to adopt a zoning ordinance relating to the nature and extent of the uses of lands, buildings and structures thereon;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey Section 420-54 is hereby amended as follows to include Section 420-54.A.(1)(j):

420-54 General Business District.

A. Permitted principal uses. No building, structure or premises shall be erected, structurally altered or used except for the following uses:

(1) Retail shopping facilities and service establishments where commodities are sold or services provided primarily for a local market, such as:

(j) Establishments where massage is offered only when in conjunction with other licensed medical or licensed beautification services

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This Ordinance may be renumbered for codification purposes.

SECTION FOUR. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION FIVE. This Ordinance shall take effect 20 days after passage and publication as provided by law.

Mayor Dobies opened the Public Hearing on Ordinance No. 1864-14. Seeing that there was no public participation, Mayor Dobies closed the public hearing on Ordinance No. 1864-14.

Councilman Dotey made a motion for adoption seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Greco, Dotey, Jenkins, and Kaplan. Nos.: None. Abstain: None.

NEW BUSINESS

The Borough Clerk read Ordinance No. 1865-14 for introduction.

ORDINANCE NO. 1865-14

**AN ORDINANCE OF THE BOROUGH OF MIDDLESEX, IN THE COUNTY OF MIDDLESEX,
AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, CHAPTER 248, LAND
DEVELOPMENT, SECTION 248-10,
FILING FEES**

BE IT ORDAINED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey, that:

SECTION 1. Section 248-10 is hereby amended to include Application Fees as they were inadvertently omitted:

An application to the Planning Board or Zoning Board of Adjustment for any application for development as defined herein shall be accompanied by a filing fee which shall be used to defray the administrative cost of processing the application as follows:

Type of Application	Application Fee
Minor Subdivision - Lot Line Adjustment	\$175.00
Minor Subdivision	\$250.00
Major Subdivision	\$250.00 + \$50.00 per lot
Final Major Subdivision	\$300.00
Variance with Subdivision	\$400.00
Minor Site Plan	\$200.00
Major Site Plan	\$300.00 + \$50.00 per lot
Variance with Site Plan	\$300.00
Interpretation Application (40:55D-68 & 40:55D-70a, b)	\$200.00
Variance Application to Board of Adjustment	\$300.00
Special Meetings/Appeals	\$400.00
Variance Application - Residential Accessory Building	\$350.00
Site Plan Review & Requirements for New Jersey Department of Environmental Protection Permits or County Environmental Protection Permits	\$500.00 + \$50.00 per lot

SECTION 2. The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance

actually adjudged invalid and shall not be deemed to effect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 4. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. The Clerk shall cause a copy of the final form of ordinance as adopted by the Council to be filed with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

SECTION 6. This Ordinance shall take effect immediately upon (1) adoption; (2) publication in accordance with the laws of the State of New Jersey; and (3) filing of the final form of adopted ordinance by the Clerk with the Middlesex County Planning Board pursuant to N.J.S.A. 40:55D-16.

Councilman Kaplan made a motion for introduction seconded by Councilman Greco and carried by the following roll call vote: Ayes: Greco, Dotey, Jenkins, and Kaplan. Nos.: None. Abstain: None.

The Borough Clerk read Ordinance No. 1866-14 for introduction.

ORDINANCE NO. 1866-14

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF MIDDLESEX, COUNTY OF MIDDLESEX, NEW JERSEY, CHAPTER 332 SEWERS, ARTICLE III

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce ordinances to manage regulate and control the finances and property of the municipality; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Middlesex, County of Middlesex, State of New Jersey as follows:

SECTION ONE. The Code of the Borough of Middlesex, Middlesex County, New Jersey is hereby amended to the following:

ARTICLE III. User Classes

Subsection § 332-41 D. (9) shall be amended as follows:

(9) Class 9: all other non-Residential users regardless of the discharge of waste water per quarter, and residential users that exceed 75,000 gallons per quarter.

Subsection § 332-43 C. (4) shall be amended as follows:

(4) The first 40,000 gallons of waste water discharge per quarter for all non-residential industrial and commercial users shall not be subject to the service charge hereunder, except that any non-residential industrial or commercial user that exceeds 40,000 gallons of waste water discharge in any quarter shall be subject to the sewer charge hereunder for all waste water discharge. All Residential properties which discharge more than 75,000 gallons of domestic sanitary waste water per quarter or any non-residential property or user, including industrial and commercial property or users which discharges more than 40,000 gallons of waste water discharge per quarter, in addition to the prevailing MCUA rates for BOD, SS and Cl., shall be charged a service charge for flow based on the user class defined in § 332-41 as follows:

(b) Except as provided in § 332-41, as may be amended, all other non-residential structures or properties which discharge more than 40,000 gallons of domestic sanitary wastewater per quarter shall be charged the rates charged by the Middlesex County Utilities Authority for BOD, SS and Cl, above, and a service charge for flow categorized as a Class 9 user. Residential properties which discharge more than 75,000 gallons of domestic sanitary wastewater per quarter shall be charged the rates charged by the Middlesex County Utilities Authorities for BOD, SS and Cl, above, and a service charge for flow categorized as a Class 9 user.

The effective date of this change shall be January 1, 2013 upon adoption of this Amendment to the Ordinance.

SECTION TWO. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION THREE. This Ordinance may be renumbered for codification purposes.

SECTION FOUR. In the event that any section, part or provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance as a whole, or any part thereof, other than the part so held unenforceable or invalid.

SECTION FIVE. This Ordinance shall take effect after passage and publication as provided by law.

Councilman Dotey made a motion for introduction seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Greco, Dotey, Jenkins, and Kaplan. Nos.: None. Abstain: None.

ADOPTION OF MINUTES

Councilman Kaplan made a motion to approve the October 14, 2014 Regular Meeting Minutes & Executive Session Minutes seconded by Councilman Dotey and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Kaplan. No: None. Abstain: None.

REPORTS – STANDING COMMITTEES:

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Nothing to report
 2. Recreation/Recreation Fields/Water & Light – Nothing to report
 3. Fire/OEM/Board of Health/Rescue Squad/Flood
 - A. Councilman Dotey reported that the Rabies Clinic will be held on Saturday, November 1 at the DPW Garage from 10am – 12pm.
 4. Public Works/Parks/Sanitation/Recycling – Nothing to report
 5. Police/Legal/Code Enforcement/Construction/Municipal Court
 - A. Councilwoman Jenkins made a motion to approve the September, 2014 Police Report seconded by Councilman Greco and carried by a unanimous vote of Council.
 6. Administration/Department of Senior Services/Legislation/Licensing – Nothing to Report
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REPORTS

Mayor

1. Swim Pool Dirt Removal – Due to the construction of the lap pool, there is good top soil that will be available. Mayor Dobies is recommending that this top soil be moved to fire headquarters. Also, Mayor Dobies directed the DPW Supervisor to look at the area located to the rear of the girl's field hockey field off of Market Street to see if this soil can also be relocated there.
 2. Road Program – Mayor Dobies submitted a list of roads for 2014 to the Council for reconstruction. According to the Council President Mayor Dobies stated that money is available in the capital ordinance to move ahead. Mayor Dobies would like to have the design work done, so that we can move ahead with the bidding process in 2015. Core samples may need to be done of some of these roads.
 3. Relocation of Certain Offices – Mayor Dobies is recommending that certain offices be relocated within the building.
 4. CFO – Mayor Dobies and the Borough Clerk met with an individual about the CFO position. Council President Kaplan will review the proposal by this individual and decide whether to interview.
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The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Consent Agenda 2014(S)

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex is desirous of removing Resolution #257-14 and Resolution #262-14 from this Consent Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #256-14
Resolution #258-14 – Resolution #261-14
Resolution #263-14 – Resolution #264-14

Councilman Dotey made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Kaplan. Nos.: None. Abstain: None.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #256-14

The Governing Body hereby approves and accepts the Corrective Action Plan on the 2013 Audit, according to Local Finance Board Directive 92-15.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #258-14

The Governing Body is hereby authorized to refund permit fees in the amount of \$543.00 to the Borough of Middlesex Rescue Squad. The permit fees were for replacement of the HVAC unit at the Rescue Squad.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #259-14

**RESOLUTION AUTHORIZING STATE CONTRACT PURCHASE OF SERVER FOR NEW
CAD SYSTEM & MEMORY UPGRADES**

WHEREAS, the Governing Body of the Borough of Middlesex wishes to purchase a new server for the Police Department CAD system and memory upgrades for two servers in prep for new CAD system from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Contracts Law, 40A:11-12; and

WHEREAS, Dell Marketing LP Software is under State Contract No. 70256 for the year 2014; and

WHEREAS, the cost for the purchase of the server is \$4,470.16 and the memory upgrades is \$3,535.84; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council that the purchase of a server and memory upgrades is ordered under State Contract No. 70256 be and is hereby approved.

The Treasurer hereby certifies that the funds in the amount \$8,006.00 is available in Account No. 04-1855-00-1855-71.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #260-14

The Tax Collector is hereby authorized to refund 2014 property taxes on the following property. The finance/mortgage company overpaid.

BLOCK/LOT	NAME & ADDRESS	AMOUNT
255/42	Mertz, Jeffrey 417 Runyon Ave	\$ 668.51

Check is to be made payable to: CoreLogic
Attn: Refunds
1 CoreLogic Drive
Westlake, TX 76262.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #261-14

The governing body hereby declares the following items surplus:

- (1) Trailer – 1105816 – Vin. #INL1GTR2461022828
- (2) Trailer – 1038257 – Vin. #1NL1GTR2751020344

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #263-14

WHEREAS, Chapters 317 and 318 of the Code of Borough of Middlesex sets forth the standards and requirements for the maintenance and upkeep of properties within the Borough of Middlesex; and

WHEREAS, the owner of record for certain properties listed below within the Borough of Middlesex has failed to comply with the standards and requirements for the maintenance and upkeep of that property; and

OWNERS ON RECORD	ADDRESS	COST
Robert Simoncelli	315 D Street	\$ 557.42
Robert Murray	421 Decatur Avenue	\$ 557.42
Cruz Danillo	176 First Street	\$ 643.82
Lincoln Holding Company (Burger)	277 Lincoln Blvd.	\$1,539.84 (2 cuts)
Gregory & Denise DiGrazia	28 Marlborough Avenue	\$ 643.82
Purnima Gandhi	9 Rutherford Court	\$ 603.42
Helen Urbano	6 Shearn Drive	\$ 535.22
Garfield Coke	207 Smalley Avenue	\$1,013.82
Mark Jacobson	209 Smalley Avenue	\$1,013.82
Jeff & Charles Tarentino	214 Walnut Street	\$ 557.42
Juan Poveda	306 Melrose Avenue	\$ 398.74

WHEREAS, the owners on record have been duly notified of their failure to comply with the standards and requirements for the maintenance and upkeep of that property; and

WHEREAS, the Borough has incurred expenses to abate and/or mitigate the failure of the owners of record to comply with the standards and requirements for the maintenance and upkeep of that property; and

WHEREAS, the Borough requested payment from the owner of record of the property and the owner of the property has failed to remit such payment; and

WHEREAS, under Chapter 317-14 and/or N.J.S.A. 40:48-2.13, the expenses incurred by the Borough of Middlesex shall be permitted to become a lien on the property;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex, County of Middlesex and State of New Jersey that:

1. The amount listed on the above table shall be added to and become and form part of the taxes next to be assessed and levied upon such lands.
2. The Tax Assessor's Office of the Borough of Middlesex shall be authorized to take such actions as is necessary and permitted to collect such amount.
3. This Resolution shall take effect immediately.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #264-14

**RESOLUTION IN SUPPORT OF SIGNING ON TO A LETTER ADVOCATING FOR A
CONSTITUTIONAL AMENDMENT LIMITING CORPORATE AND INDIVIDUAL SPENDING IN
OUR ELECTIONS**

WHEREAS, the United States Constitution and the Bill of Rights are intended to protect the rights of individual human beings ("natural persons") and corporations are not mentioned in the Constitution and The People have never granted constitutional rights to corporations; and

WHEREAS, the United States Supreme Court recognized in *Austin v. Michigan Chamber of Commerce* (1990) the threat to a republican form of government posed by "the corrosive and distorting effects of immense aggregations of wealth that are accumulated with the help of the corporate form and that have little or no correlation to the public's support for the corporations political ideas"; and

WHEREAS, the United States Supreme Court in *Citizens United v. the Federal Election Commission* (2010) reversed the decision in *Austin*, and presents a serious threat to self-government by rolling back legal limits on corporate spending in the electoral process allowing unlimited corporate spending to influence elections, candidate selection, policy decisions and sway votes; and

WHEREAS, the United States Supreme Court held in *Buckley v. Valeo* (1976) that the appearance of corruption justified limits on contributions to candidates, but it wrongly rejected other fundamental interest that the Board of Chosen Freeholders find compelling such as creating a level playing field and ensuring that all citizens, regardless of wealth, have an opportunity to have their political view heard; and

WHEREAS, money is property, it is not speech; and

WHEREAS, Article V of the United States Constitution empowers and obligates the people of the states of the United States of America to use the constitutional amendment process to correct those egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy and the republican form of self-government; now, therefore, be it

RESOLVED, that it is the position of the Middlesex Borough Council that corporations should not receive the same constitutional rights as natural persons do and that because money is not speech, limits on political spending will promote the goals of the First Amendment by ensuring that all citizens, regardless of wealth, have an opportunity to have their political views heard; and, be it further

RESOLVED, that the Middlesex Borough Council hereby endorses the letter asking their Congressman to support efforts to pass an Amendment to the United States Constitution related to campaign finance reform and ending the false doctrine of corporate constitutional rights and, respectfully urges their Congressman to advocate for small donor campaign financing programs.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #257-14

WHEREAS, Jamali Developers, LLC was awarded the contract for the Upgrades to the Middlesex Community Pool on September 9, 2014 in the amount of \$1,056,460.00; and

WHEREAS, Change Order #1 – Change #4, is for \$33,981.00 for modifications and adjustments to the contract for various items and which bring the total contract amount for this project to \$1,090,441.00; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following change order is hereby approved pending a Special Meeting on October 30, 2014 of the Swim Pool Commission and a majority of the Swim Pool Commissioners voting positive on these modifications.

Original Contract Sum:	\$1,056,460.00
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Change Order #1 - #4	\$ 33,981.00
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NEW CONTRACT SUM:	\$1,090,441.00
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NOW FURTHER BE IT RESOLVED that the Treasurer hereby certifies that the funds in the amount of \$33,981.00 are available in Account No. 06-1510-03-1852-60.

Mayor Dobies indicated that this change order was not voted on by a majority of Swim Pool Commissioners. Councilman Greco stated that the Swim Pool Commission will be holding a Special Emergency Meeting on October 30, 2014 to approve this change order. Council agreed to approve this change order with the stipulation that a Special Meeting of the Swim Pool Commission be held on October 30, 2014 and a majority of the Swim Pool Commissioners voting positive on these modifications.

Councilman Kaplan made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Kaplan. Nos: None. Abstain: None.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #262-14

WHEREAS, Partner Engineering and Science, Inc. has previously provided a proposal dated August 26, 2013 and revised September 19, 2013 for the Grant Close-Out – Additional Environmental Services; and

WHEREAS, the Mayor and Council wishes to increase the amount of the contract for an additional \$25,000 for unanticipated costs which includes (1) demolition, (2) costs for Freehold Soil Conservation, (3) NJDEP costs recording system, and (4) any other unanticipated cost related to the grant.

WHEREAS, the Borough anticipates being reimbursed by NJOEM, FEMA and the NJDEP grants.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, and State of New Jersey hereby approved the increased costs for Partner's Engineering and Science for an additional \$25,000 for the unanticipated costs which include (1) demolition, (2) costs for Freehold Soil Conservation, (3) NJDEP costs recording system and (4) any other unanticipated cost related to the grant.

NOW, FURTHER BE IT RESOLVED, that the Treasurer hereby certifies that funds in the amount of \$25,000.00 is available in Account No. 04-1808-00-1808-60.

Councilman Kaplan made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Kaplan. Nos: None. Abstain: None.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #265-14

THE DISBURSING OFFICERS BE AND THEY ARE HEREBY AUTHORIZED TO PAY THE ATTACHED CLAIM LIST AS PRESENTED, IF FOUND CORRECT, AND APPROVED BY THE FINANCE COMMITTEE. EXCLUDED VOUCHERS MAY BE PAID UPON BEING FOUND ACCEPTABLE.

Councilman Kaplan made a motion for approval, seconded by Councilwoman Jenkins and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Kaplan. Nos: None. Abstain: None.

DISCUSSION ON AGENDA WORKSHOP ITEMS-NONE

PUBLIC COMMENTS

Mayor Dobies opened the Public Portion of the meeting for any comments.

Lydia Smilek, 17 Weiss Drive questioned the status of the reimbursement from Montana Construction for the sewer damage from the Greenbrook Road Project. Also, she questioned the resurfacing of Louis and Greenbrook Road. Attorney Aithal indicated that Montana Construction is not taking responsibility for the damage at this time, but their insurance carrier will be conducting a review to see if it is compensable through insurance. Mayor Dobies directed Ms. Smilek to speak with the DPW Supervisor regarding the road resurfacing.

Rich Malt, 309 D Street questioned the sewer ordinance and indicated that it was not what the Borough had discussed with him and what will be addressed next year. Mayor Dobies mentioned that the resident's section of the ordinance could not be changed this year, as Attorney Aithal indicated that Council is prohibited from enacting a tax retroactive. The 2013 bills will be amended so that any commercial businesses with an average of less than 40,000 gallons per quarter will not have a service charge and any commercial businesses over the 40,000 gallons will get a service charge.

John Mrofchak, 128 Wood Avenue questioned the 40,000 gallons and how the sewer charges will change for the homeowners.

John Ericson, 209 Second Avenue (1) Recommended that a good place to move the soil from the swim pool would be to put it between Second and Third Street; (2) Questioned what roads were being considered for the road program, and (2) Also discussed the relocation of the offices in borough hall.

Richard Savine, 103 South Avenue (Richie's Tire Service) attended the meeting and mentioned that for over 27 years they have operated a tire and towing business in the industrial section of town and have supported the community. They are discouraged that they feel that they are now being persecuted by the zoning officer in an attempt to shut down their businesses. They have operated on South Avenue from 1987 until 2000 when the Borough subdivided the property behind them without any notice. A fence was erected and affixed to their building and they approached the zoning officer and was advised that this was a civil matter. Since that time they feel that they have complied with all issues that have been brought to their attention by the zoning officer, but feel that they cannot please her. Also, while defending their property, issues have been uncovered and they feel that to conform to ordinances adopted a year ago is not fair, as they have operated exactly the same business in this town and now are expected to get site plans and board approvals, costing a large sum of money. They feel they are being treated like criminals. They have met with Councilman Kaplan, Schueler and the Zoning Official in an attempt to find a solution, but in the meantime they have received 7 summonses in the mail this

week. They want to be compliant, but not at the risk of losing everything. Councilman Kaplan will look into this matter.

Kevin Prunty, 42 Grant Avenue, Piscataway complained about the pot holes on South Avenue and was directed by Piscataway to bring it to Middlesex Borough's attention. Mayor Dobies indicated that South Avenue will be put on the list for the DOT Road Program and requested that Councilman Kaplan call Mayor Wahler to try to have South Avenue temporarily repaired.

Mayor Dobies addressed all other questions from the Public. Seeing that there was no further public participation, Mayor Dobies closed the public portion of the meeting.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #266-14

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting; and

WHEREAS, the Governing Body of the Borough of Middlesex has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Middlesex will go into closed session for the following reason listed below as outlined in N.J.S.A. 10:4-12 and the minutes will be kept, and once the matter involving the confidentiality of the items no longer require confidentiality, the minutes can be made public.

1. Violation of the Law

Council President Kaplan made a motion for approval seconded by Councilman Greco and carried by the following roll call vote: Ayes: Dotey, Greco, Jenkins, and Kaplan. No: None. Abstain: None.

Councilman Greco moved to reconvene the Regular Meeting seconded by Councilman Schueler and carried by the following roll call vote.

ROLL CALL

Mayor	Ronald Dobies
Council President	Sean Kaplan
	Kevin Dotey
	Stephen Greco

Patricia Jenkins	
Bob Schueler	Absent
Michele Tackach	Absent

Attorney: Aravind Aithal

ADJOURNMENT

Councilman Greco made a motion to adjourn the Regular Meeting seconded by Councilman Dotey and carried by a unanimous vote of members present.

Respectfully yours,

Kathleen Anello, RMC
Borough Clerk